

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

APRIL 15, 1987

Mr. John Whitehead, H.B.A.
Assistant Product Manager
Madison Chemical Industries, Inc.
490 McGeachie Drive
Milton, Ontario L9T 3Y5
Canada

Dear Mr. Whitehead:

This is in response to your letter of April 7, 1987, concerning the regulation of containers that have held urethane coating. Under the Federal hazardous waste regulations (40 CFR §261.7), a container that has held hazardous waste is considered "empty" if it meets certain criteria. The "one inch" and "3 percent" criteria that you cited apply for most hazardous wastes, while acute toxic wastes must be triple rinsed with a suitable solvent. (First, of course, all waste must be removed using practice commonly employed to remove materials from the type of container in question, i.e., typically pouring, pumping, or aspirating.)

From the information you have provided, I am not sure that your containers hold a hazardous waste. In particular, EPA has listed many commercial chemical products and intermediaries that, when discarded, are considered hazardous wastes. (40 CFR 261.33(e) and (f), the "P" and "U" wastes). I have enclosed the list so you can check for yourself.

If your chemicals are not hazardous wastes, you need not determine whether the containers are "empty." If any of the chemicals are on the U list, use the criteria you cited (i.e., one inch or 3 percent), and if any are on the P list, triple rinse the containers using a suitable solvent.

If you have further questions, contact Mike Petruska of our staff at (202) 382-7737.

Sincerely,

Alan Corson
Deputy Director
Characterization Assessment Division

Enclosure

FaxBack# 11237

Madison Chemical Industries Inc.

April 7, 1987

Allan Corson
United States E.P.A.
WH562B 401 Main Street South West
Washington D.C. 20460

Dear Mr. Corson:

This letter is by way of follow up to a telephone conversation I had with Becky Cuthbertson on April 7. I wanted to verify that my interpretation of the Federal Regulation regarding the disposal of 55 gallon drums was indeed accurate. After receiving a verbal confirmation I informed Mrs. Cuthbertson of my intent to write the E.P.A. for a written confirmation. She suggested that I direct my correspondence to yourself.

The drums would be used to transport urethane coating resins. The coating system comes in two parts, each part shipped in a separate 55 gallon drum. The "A" side of the system, contains a blend of polymeric MDI (methylene di-isocyanate), steam cracker tar, pigment and bubble release agent. The "B" side of the system, contained in a separate drum, is a combination of aromatic hydrocarbon solvent, steam cracker tar, a polyol blend, pigment, and bubble release agent.

It is my understanding of the regulation that **a container** that has held these ingredients **is empty if**: no more than one inch of residue remains on the bottom of the container or liner **or** no more than three percent weight of the total capacity of the container remains in the container or inner liner.

It is also my understanding that a container defined as empty, is simply disposed of according to the regulations governing the disposal of solid waste.

To be more specific, a 55 gallon drum used to transport our urethane coating, and having met your guideline for being empty, could be disposed of at any location properly qualified to receive solid waste, or alternatively could be sold to a scrap metal dealer.

I would appreciate your timely response regarding this matter, as I realize I will indeed have to contact many individual states for their specific regulations. I would appreciate if you would return your response to me by Puroletter "collect", or some other suitable courier service.

Thank you very much for your time, I appreciate your assistance.

Yours truly,

MADISON CHEMICAL INDUSTRIES INC.

John Whitehead, H.B.A.
Asst. Product Manager.